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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/562,695      | 12/27/2005  | Johan Wennerstrom    | 1507-1034           | 3761             |

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EXAMINER

CINTINS, IVARS C

ART UNIT PAPER NUMBER

1724

DATE MAILED: 08/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/562,695

Applicant(s)

WENNERSTROM, JOHAN

Examiner

Ivars C. Cintins

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1724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 10-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 12/27/2005.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

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The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 10, 12, 14, 17 and 18 are rejected under 35 U.S.C. 102(b) as

being anticipated by WO 00/57985. The reference discloses a water filtering device comprising: a container **10**; a filter unit **20** that is moveable relative to the container, which filter unit comprises an operating rod **16**, a filter element having a particle filter **26** and an adsorption (i.e. activated carbon) filter **30**; sealing means **28**; and means **31** for emitting silver ions; and this is all that is required by claims 10, 12, 14, 17 and 18. Applicant should note that since the flow of water through the filter element will inherently change its direction to some extent, this filter element is deemed to have a “labyrinth function.” Applicant should further note that central bushing **38** forms part of protective device **32** (i.e. including fine metallic silver mesh **31**); and therefore, the means for emitting silver ions in this reference device is deemed to be “in connection with the operating rod” of this device.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over WO 00/57985. The reference discloses the claimed invention with the exception of the recited coating on the operating rod. However, it would have been obvious to one of ordinary skill in the water purification art at the time the invention was made to coat the operating rod of the reference device with a substance that emits silver ions, in order to ensure that the treated water has a low bacteria content.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over WO 00/57985 in view of Archer (U.S. Patent No. 6,197,193). WO 00/57985 discloses the claimed invention with the exception of the recited polypropylene filtration material. Archer discloses a similar device for purifying drinking water, and teaches utilizing a final filtration stage constructed from polypropylene material (see col. 2, lines 43-44). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the device of WO 00/57985 with a final filtration stage containing polypropylene (i.e. located above filtration stage 26), in order to obtain the advantages disclosed by the secondary reference for the device of this primary reference.

Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over WO 00/57985 in view of Wheatley (U.S. Patent No. 4,749,481). WO 00/57985 discloses the claimed invention with the exception of the recited partition. Wheatley discloses a water filtration device, and teaches utilizing a disc shaped partition 38 to cause water undergoing treatment to flow in

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a serpentine path through water treatment material (e.g. activated carbon; see col. 4, line 39). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the device of WO 00/57985 with the partition members disclosed by Wheatley, in order to promote contact between the water undergoing treatment and the filtration material in this primary reference device.

Applicant is advised that should claim 12 be found allowable, then claim 18 will be objected to under 37 CFR § 1.75 as being a duplicate thereof. See M.P.E.P. § 706.03(k).

Schieffelin (U.S. Patent No. 175, 508) and Sloan (U.S. Patent No. 3,174,623) disclose water purification devices having disc shaped partitions for causing water to flow in a tortuous path.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to I. Cintins whose telephone number is 571-272-1155. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Duane Smith, can be reached at 571-272-1166.

The centralized facsimile number for the USPTO is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through

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Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**Ivars C. Cintins**  
**Primary Examiner**  
**Art Unit 1724**

I. Cintins  
August 26, 2006